



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

There are two classes of criminals: 1st, criminals by occasion; 2nd, recidivists. The basis of all criminality is irradicable tendency to lying. Men furnish almost six times as many criminals as women; it is easier for men to overstep the bounds of morality and custom. Most women criminals loose every trace of womanhood in demeanor. Criminals by occasion are those who become so through levity, passion, imprudence, unfavorable surroundings and above all through abuse of alcohol. According to Baer 50 per cent. of all crime comes from alcohol; three-fourths are crimes against the person, and only one-fourth against property; while the reverse is true with the recidivists. Minor criminals are to a large extent capable of improvement. To accomplish this, the perversity and exceptionableness of their actions must be recognized. The infanticides are the best of all criminals. The recidivists should be divided into two classes: one class includes those, who for the most part have no mental or bodily signs of degeneration, caused by bad bringing up, society, poverty, sexual disorders; and those who make crime a trade, or as a vengeance for injustice suffered. The improving of these is rare. The second class of recidivists comprises those with inborn criminal inclinations. In prison they are inclined to coarseness, boldness, resistance and willful spoiling of their clothes; they may be regarded as in the first stage of insanity. But legally the recidivists are sharply distinguished from the insane. Delusions sholder the judgments of the insane, but not so in the case of the recidivist. Thieves, swindlers and incendiaries, if not insane, are cowards; robbers and murderers are little affected by fear. Between mental health and insanity there are many cases of hereditary anomalies: nervousness, irritability through the least cause, peculiar unconquerable inclinations, eccentricities, propensity to dissolute ideas with no purpose, a mingling of contradictory peculiarities, of one sided mental powers—this all, united with a weakness of deliberation; here belongs also the inborn criminal instinct. According to Richter, most crimes, especially murder, audacious burglary, common theft, embezzlement, resistance of state power, come by epileptics, or in those with a tendency to epilepsy. Those addicted to alcohol are light offenders. Those with hereditary mental weakness are given to crimes of unchastity.

The class of recidivists is a mixed one: (1) Those who have a positive tendency to insanity or epilepsy; (2) Those whose family antecedents plainly lead them to crime; (3) Those whose morality and sense of honor are destroyed through training and environment.

Criminal phenomena and manifestations of insanity are a distorted or diseased expression of mental activities, which by themselves are present in everyone; but in some they develop in one or the other direction. No one is sure that his mental soundness cannot be endangered through outer or inner troubles; or that he can escape inclinations, which might lead to crime. The increase of crime keeps step with that of population, or rather, with its increase in density, as in large cities. The increase of both insanity and criminality is due to over-population.

*Indeterminate Sentence and Conditional Liberation.* Z. R. BROCKWAY. Proceedings of National Prison Association of United States, for 1887.

One of the best and most successful methods in criminal prophylaxy is at Elmira, N. Y., under the charge of Mr. Z. R. Brockway, a leader and innovator in prison discipline. We give the following to illustrate some points in the method. The true idea of the indeterminate sentence includes all classes of prisoners in custody without any maximum or minimum term. Thus applied, it includes conditional release and the marking system, which are inseparable. The indeterminate sentence

substitutes in the mind of the prisoner, and in the public mind (more important) the idea of correction instead of punishment. But penal treatment is not abolished. Prison discipline is rather intensified. Punishment does not make a man a safe citizen; pain is soon forgotten. When one sees that his conduct is an expression of soul-defect, making him unsafe to his fellow-men, he gets a rational confidence and is likely to get on better than if restrained by fear.

The indeterminate sentence contributes to the idea of certainty as opposed to severity; certainty and celerity of trial, conviction and cure are beneficial both in case of the criminal and the public. Another advantage is in placing the responsibility of determining the date of the prisoner's release upon the warden, who should know his prisoners best. It changes the attitude of keeper to convict; the prisoner desires to convince the warden that he is fit to go out; he tries many crooked ways, but eventually realizes his time is wasted; at this point reformation begins; the prisoner's next step is an honest effort to get out in the way the warden marks out for him. The prisoner is released at the best time, since, having earned his promotion, he is hopeful and encouraged. After his release he is surrounded with the strength of legal liability, beneficial to habitual criminals, and indispensable to criminals by occasion. In a reformatory system, the indeterminate sentence gives the strongest and almost the only true motive that influences one to conduct, cultivate and prepare himself properly for free life. Some of the methods at Elmira Reformatory will illustrate this. The prisoners, on entering, are brought one by one to the warden, who says: "How long have you been in the Tombs, my boy, and who came to see you there?" "Mother." "How did you feel to see your mother come out of a respectable home to see her son a felon?" Generally here, if a man has emotion, he shows it. The men are gathered in a group; the warden says: "Well, how long are you going to stay?" Some snicker and laugh. "You can stay five years; you ten," etc. They do not mind it; one year is as a thousand. "Say your mother is sixty; in twenty years she will be eighty, if she is here. Five years—five Fourth-of-Julys." They sober up; they begin to realize it. "Any man can get out in a year, if he is fit to go. Now, do this little thing, and be very careful not to neglect it; otherwise you get a 'chocolate' (offence), and one chocolate report means, you have lost a month." This process involves a perfect record every month in demeanor, labor and school. A man comes with weak will-power; falls month after month. The warden says, put him in a higher grade; five straight months of the best conduct, which means "rationalistic regeneration." On leaving, a position is found him; the employer knows all about him. The prisoner must correspond with the warden each month, with the certificate of his employer. At the end of six months, if he is all right, he goes scott free. If he breaks his parole, he is brought in again. They all obtain positions. Results: We correspond with all of the 2,000 men we have sent out. For 874 men we have the account for each year. We received 76 in 1880, 9 not reformed; 99 in 1881, 10 not good; 85 in 1882, 9 not good; 109 in 1883, 13 went wrong; 121 in 1884, 19 went wrong; 86 in 1887, 3 went wrong.

When the prisoner is readjusted, reformation in the state sense is accomplished. Scientific reformation is based on physical culture and labor in a way that approaches as near as possible the natural relation of labor outside of prison. The prisoner has what he earns and pays for what he gets, supplemented by a complete course of scholastic education.

*Individual System.* WARDEN CASSIDY. Proceedings of National Prison Association of the United States, for 1884.

Prison labor and free labor are precisely the same thing. The public